

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
LUMEN ALTRE,

Plaintiff,

v.

WHOLE FOODS MARKET  
GROUP, INC.,

Defendant.  
-----X

**ORDER**

20-CV-2787 (WFK) (RER)

**WILLIAM F. KUNTZ, II, United States District Judge:**

On April 19, 2021, the Honorable Magistrate Judge Ramon E. Reyes filed a *sua sponte* Report and Recommendation (“R&R”), recommending this Court dismiss the above-captioned case without prejudice due to Plaintiff’s failure to prosecute and failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41. ECF No. 12. Objections to the R&R were due May 3, 2021, and to date, no objections have been filed.

In reviewing a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where no objections have been filed, the Court reviews a report and recommendation for clear error. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (Garaufis, J.). The Court finds no such error here. Accordingly, the Court adopts the R&R in its entirety.

The Clerk of Court is respectfully directed to close any pending motions and close the case.

**SO ORDERED.**

s/ WFK

HON. WILLIAM F. KUNTZ, II  
UNITED STATES DISTRICT JUDGE

Dated: May 6, 2021  
Brooklyn, New York